

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 31, 2003
Date

Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HWA-CHAIN ROBERT WANG

Serial No.: 09/822,110

Filed: March 30, 2001

For: P33^{QIK} AND P63^{KRS1} PEPTIDES,
POLYPEPTIDES, COMPOSITIONS AND USES
THEREFOR (as amended)

Group Art Unit: 1644-

Examiner: Michail A. Belyavskyi

Atty. Dkt. No.: 4350.000800

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

This is a Request for Continued Examination (RCE) of the above-identified application.

1. Submission required under 37 C.F.R. 1.114

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on March 31, 2003.

(Any unentered amendments referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

11/04/2003 BABRAHA1 00000077 09822110

02 FC:2801

385.00 OP

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement
(IDS)

ii. ☐ Affidavit(s)/Declarations

iv. ☒ Other: Response to Advisory Action

2.

Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) **required**)

b. ☒ Other: Request for Extension of Time

3.

Fees

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0786, if the check is missing or insufficient.

i. ☒ RCE fee required under 37 C.F.R. 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii. ☐ Fee under 37 C.F.R. 1.17(i) for suspension of action

b. ☒ Check in the amount of \$1390.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Respectfully submitted,

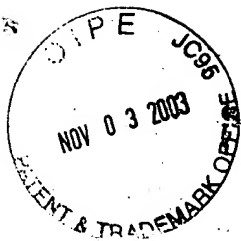
WILLIAMS, MORGAN & AMERSON
CUSTOMER NUMBER: 23720

Date: October 31, 2003



Mark D. Moore, Ph.D.
Reg. No. 42,903
10333 Richmond Dr., Suite 1100
Houston, Texas 77042
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS



RECEIVED
NOV 05 2003
TECH CENTER
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HWA-CHAIN ROBERT WANG

Serial No.: 09/822,110

Filed: March 30, 2001

For: p33^{QIK} AND p63^{KRSI} PEPTIDES,
POLYPEPTIDES, COMPOSITIONS AND
USES THEREFOR (as amended)

Group Art Unit: 1644

Examiner: Michail A. Belyavskiy

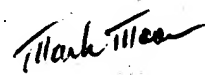
Atty. Dkt. No.: 4350.000800

Customer No.: 23720

**REQUEST FOR CONTINUED EXAMINATION;
RESPONSE TO ADVISORY ACTION DATED APRIL 28, 2003**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING 37 C. F. R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
October 31, 2003	
Date	Mark D. Moore

The Examiner is respectfully requested to enter the accompanying Request for Continued Examination (RCE) and consider this response to the Advisory Action of April 28, 2003. The Examiner is also requested to enter the amendments and consider the response to the Final Official Action of September 30, 2002 ("Final Action") which was timely submitted on March 31, 2003, accompanied by a Notice of Appeal (timely filed on March 31, 2003). The accompanying five-month extension of time brings the final due date for the present RCE to October 31, 2003, which is within the statutory period for response after Notice of Appeal. Applicant believes that the present materials place the claims in condition for allowance, and

re-examination and reconsideration is respectfully requested on this basis after entry of the amendment and present remarks.

A check in the amount of \$1390.00 is enclosed. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4350.000800.

1. RESPONSE

1.1 STATUS OF THE CLAIMS

Claims 1-9, 12, 32-37, 42-52, and 61-75 were pending at the time of the Final Office Action.

Claims 1-6, 8-9, 32-33, 37, 42-45, 47, 49-50, 61-63, and 67-75 were amended in the paper submitted March 31, 2003; now properly considerable by the Office.

No additional claims have been added, amended, or cancelled herein.

Claims 1-9, 12, 32-37, 42-52 and 61-75 remain pending in the case following entry of the RCE.

Claims 12 and 66 have been allowed as follows:

- 12. (Allowed) An isolated polypeptide consisting of the amino acid sequence from position 1 to position 322 of SEQ ID NO:2.
- 66. (Allowed) An isolated peptide consisting of the sequence of any one of SEQ ID NO:3 through SEQ ID NO:76.

Applicant notes for the record that all pending claims remain free from rejection under the utility (35 U. S. C. §101) and prior art (35 U. S. C. §102 and 35 U. S. C. §103) sections of the Statutes.

1.2 REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C. F. R. § 1.114

The present RCE is filed within the statutory period after giving Notice of Appeal and is timely in light of the enclosed request for extension of time and fees.

1.3 REQUEST FOR EXAMINER INTERVIEW

Pursuant to M. P. E. P. § 713.01 and 37 C. F. R. §1.133, Applicants hereby renew their ongoing request for the scheduling of an Interview with Examiner Belyavskiy, Supervisory Patent Examiner Chan and Applicant's undersigned representative to discuss the pending claims as are now in condition for allowance, and to address any particular remaining issues in the mind of the Examiner in charge of the case, once he has had the opportunity to review this response and accompanying amendment.

Applicant's undersigned representative hereby requests that Examiner Belyavskiy contact him once he has received the present papers to arrange such an interview within 30 days from said date.

1.4 CONCLUSION

Applicant believes this to be a full, timely and complete response to the outstanding Advisory Action and Final Action, and further believes that all pending claims are free of any rejection under the statutes, and that the claims are now placed in condition for allowance through the entry of the accompanying amendment and consideration of the foregoing remarks.

Applicant expressly reserves the right to re-file claims directed to the remaining embodiments of the invention in subsequent continuing applications. Should the Examiner have

any questions concerning the accompanying amendment, response and related papers, a telephone call to the undersigned Applicant's representative is earnestly solicited.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720

Date: October 31, 2003



Mark D. Moore
Reg. No. 42,903
10333 Richmond Ave, Suite 1100
Houston, Texas 77042-4142
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANT